

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

BERNARD BARNES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:22-CV-136-SNLJ
	)	
SOCIAL SECURITY ADMINISTRATION,	)	
	)	
Defendant.	)	

**MEMORANDUM**

Plaintiff Bernard Barnes, pro se, sued the Social Security Administration in state court, alleging that it violated his Constitutional rights by denying his eligibility for Social Security benefits. [Doc. 1-5.] Defendant removed the case to Federal Court. [Doc. 2.] Defendant seeks dismissal for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1). [Doc. 5.] Defendant argues that plaintiff has not pled that he exhausted administrative remedies, and so is barred from suit by 42 U.S.C. § 405(g). [Doc. 6.] Plaintiff did not respond, and the time for doing so has passed. Therefore, the case will be dismissed.

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motion [Doc. 5] is **GRANTED** and the case is dismissed. A separate order will accompany this memorandum.

So ordered this 27th day of February, 2023.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", written in a cursive style.

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STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE